

REMARKS

The examiner has rejected independent claim 111 under 35 USC 103 as being unpatentable in view of Ort combined with Venkatesan. The examiner is urged to reconsider and withdraw the rejection.

The invention is directed to a novel method for providing higher speed execution of an application on an application server, when the application server must access a data item stored on a client that has a lower speed connection. If the application server had to access the data item at the client, the data item would need to be transmitted over the lower speed connection. The invention introduces the novel idea of allowing the application server to access the data item at a data repository that has a higher speed connection. The client determines a digital fingerprint of the data item, tests for whether the data item is already stored in the repository by comparing the fingerprint to fingerprints of data items already in the repository, and, only if the fingerprint comparison shows that the data item is not in the repository, transfers the data item to the repository over the lower speed connection. An expiration time is assigned to the data item, before which time deletion is prohibited. Thus, in those instances in which the data item is already in the repository, the transfer over the lower speed connection can be avoided. The application server then processes the data item, using the higher speed connection to access and process the data item. Finally, at least some of the processed data is returned to the client across the lower speed connection.

Both of the examiner's references have no relevance whatsoever to the claimed invention. Ort deals with a system that stores and processes digital images of actual human fingerprints (hence it turned up in a keyword search for "digital fingerprints"). These human fingerprints are not the digital fingerprints called for in the claim. As made clear in numerous places in the specification, the "digital fingerprints of a data items" are cryptographic hashes of the contents of the data items. Furthermore, there is nothing taught in Ort about a lower speed connection between a client and a data repository, or a higher speed connection between an application server and the data repository. In short, Ort is completely irrelevant.

Venkatesan is just as irrelevant as Ort. The examiner relies on Venkatesan for a teaching of assigning expiration times to data items, before which deletion is prohibited. But Venkatesan

has no such disclosure. Instead, Venkatesn describes a digital watermarking process by which a rights management system uses watermark keys to restrict access to data items. The portions of the reference pointed to by the examiner (col. 17) merely deal with expiration times that are assigned to the watermark keys. After the expiration times, the keys are apparently no longer valid. That is not a disclosure of assigning an expiration time to a data item "before which deletion is prohibited". Nothing is said in Venkatesan about there being a prohibition on deletion of watermark keys before the expiration times. Indeed, nothing is said about a prohibition on deletion of watermark keys, or any other data items, either before or after the expiration times. Instead the expiration times apparently define a time after which a watermark key is no longer valid.

Accordingly, claim 111 is allowable over the art of record.

The remaining claims are all properly dependent on claim 111, and thus allowable therewith (including new claim 164). Each of the dependent claims adds one or more further limitations that enhance patentability, but those limitations are not presently relied upon. For that reason, and not because applicants agree with the examiner, no rebuttal is offered to the examiner's reasons for rejecting the dependent claims.

Allowance of the application is requested.

Enclosed is a \$60 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 10/5/2006

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